

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

PEPE TOOLS, INC.,)
v. Plaintiff,)
SUNSTONE ENGINEERING, LLC,)
Defendant.)
Case No. CIV-23-907-D

ORDER

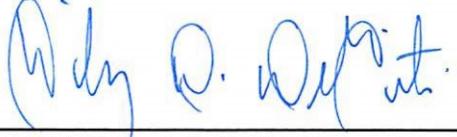
Upon examination of Defendant Sunstone Engineering, LLC's Disclosure Statement [Doc. No. 5] filed under LCvR7.1.1, the Court finds that the statement is incomplete and additional information is needed.

Defendant states that it is a limited liability company (LLC) and its members include six Utah LLCs and a Utah corporation. To provide full disclosure where a member of an LLC is another LLC, the members of the constituent LLC must be identified. *See Thomas v. Guardsmark, LLC*, 487 F.3d 531, 534 (7th Cir. 2007) (“an LLC’s jurisdictional statement must identify the citizenship of each of its members as of the date the complaint . . . was filed, and, if those members have members, the citizenship of those members as well”); *see also Gerson v. Logan River Academy*, 20 F.4th 1263, 1269 n.2 (10th Cir. 2021) (“where an LLC has, as one of its members, another LLC, the citizenship of unincorporated associations must be traced through however many layers of partners or members there may be to determine the citizenship of the LLC”) (quoting *Zambelli Fireworks Mfg. Co. v. Wood*, 592 F.3d 412, 420 (3d Cir. 2010)). Further, where a member is a corporation and

jurisdiction is based on diversity of citizenship, the facts needed to establish citizenship under 28 U.S.C. § 1332(c)(1) must be provided.¹

IT IS THEREFORE ORDERED that Defendant Sunstone Engineering, LLC is directed to file an amended disclosure statement within 7 days of this Order.

IT IS SO ORDERED this 19th day of December, 2023.



TIMOTHY D. DeGIUSTI
Chief United States District Judge

¹ Even where federal jurisdiction is not based on diversity of citizenship, full disclosure of the identities of all constituent members of an LLC must be stated to permit an assessment of any conflict of interest.